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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/551,835

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GUA UTO 415

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EXAMINER

AUNG, SAN M

ART UNIT

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/551,835	Applicant(s) HIRONAKA, AKIHIRO	
	Examiner SAN AUNG	Art Unit 3657	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 June 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 2 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This communication is a Second Office Action Final rejection on the merits. Claims 1 and 2, as originally filed, are currently pending and have been considered below.

Response to Amendment

The amendment received on June 10, 2009 has been acknowledge. Claims 1 and 2 have been argued by applicant. Therefore, claims 1 and 2 are pending in the application.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 1 and 2** are rejected under 35 U.S.C. 103(a) as being unpatentable over Motozaki A. et al. (JP 11-13840) and further in view of Wujick (US Patent 4,403,979).

As per claim 1, Motozaki A. et al. discloses a skew toothed belt but fails to explicitly disclose denoting a tooth pitch as "Pt", a tooth helix angle as " θ ", and a belt width of said helically-toothed belt as "W", said tooth helix angle " θ " is set in a range of

$$-0.2 \leq 1 - W \cdot \tan \theta / Pt \leq 0.75.$$

However Motozaki A. et al. disclose about backlash between said helically-toothed belt and said helically-toothed pulley is small (Paragraph 38).

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It would have been obvious to one ordinary skill in the art at the time the invention was made to modify the pulley and belt system of Motozaki A. et al. according to the desire helix angle of helical belt and in order to provide optimal performance. (See MPEP 2144.05 (II)).

As per claim 2, Motozaki A. et al. discloses all the structural elements of the claimed invention but fails to explicitly disclose denoting a tooth pitch as "Pt", a tooth helix angle as " θ ", and a belt width of said helically-toothed belt as "W", said tooth helix angle " θ " is set in a range of

$$1 - W \cdot \tan \theta / Pt \leq 0, \text{ and};$$

compressibility of said helically-toothed belt is set to be from 1.5% to 5%.

Wujick discloses compression of the belt teeth in table I, combinations B and C being 3.4% and 3.7%, which falls in the range of 1.5% to 5%.

It would have been obvious to one ordinary skill in the art at the time the invention was made to modify the pulley and belt system of Motozaki A. et al. according to the Wujick in order to achieve a better belt and pulley configuration.

Response to Arguments

3. Applicant's arguments filed June 10, 2009 have been fully considered but they are not persuasive.

Regarding claim 1, the Applicant argued that (Page 2, second paragraph), "they also seem to teach that smaller is better". In response, the Examiner respectfully disagrees because Motozaki et al. do not said "the smaller is better". It teaches the

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relation of round-teeth and trapezoid tooth with same load and says "backlash become small further".

Again, in claim 1, paragraph 2, the word "when denoting" renders the claim indefinite, because the claim language of present invention does not explicitly define about what limitation of the backlash when pitch is out of the recited range.

Regarding claim2, the Applicant argued that, "Wujick does not mention anything about printer transport belts with printing accuracy and conveying precision problem". In response, the Examiner respectfully disagree because Wujick teach the compression of 3.4% and 3.7% and believes that the belt of Wujick lies between the claim limitation and Applicant did not disclose the limitation of " printer transport belts with printing accuracy and conveying precision problem" in the claim.

Again, in claim 2, paragraph 2, the word "when denoting" renders the claim indefinite, because the claim language of present invention does not explicitly define about what limitation of compressibility when pitch is out of recited range.

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SAN AUNG whose telephone number is (571)270-5792. The examiner can normally be reached on Mon-to- Fri 7:30 am- to 5:00 pm..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Siconolfi can be reached on 571-272-7124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

San M Aung

/Robert A. Siconolfi/
Supervisory Patent Examiner, Art
Unit 3657